

Aaron Greenspan (*Pro Se*)  
956 Carolina Street  
San Francisco, CA 94107-3337  
Phone: +1 415 670 9350  
Fax: +1 415 373 3959  
E-Mail: aaron.greenspan@plainsite.org

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

AARON GREENSPAN,

Plaintiff,

v.

OMAR QAZI, SMICK ENTERPRISES, INC.,  
ELON MUSK, and TESLA, INC.,

Defendants.

Case No. 3:20-cv-03426-JD

**REQUEST FOR JUDICIAL  
NOTICE IN SUPPORT OF  
PLAINTIFF'S OPPOSITION TO  
DEFENDANTS' MOTIONS TO  
DISMISS PLAINTIFF'S THIRD  
SUPPLEMENTAL AND  
AMENDED COMPLAINT AND  
SPECIAL MOTION TO STRIKE  
CLAIMS UNDER CALIFORNIA'S  
ANTI-SLAPP STATUTE, CIV.  
PROC. CODE § 425.16**

Judge: Hon. James Donato  
Complaint Filed: May 20, 2020  
TAC Filed: February 12, 2021

Pursuant to Federal Rule of Evidence 201 and *Rosales-Martinez v. Palmer*, 753 F.3d 890, 894-895 (9th Cir. 2014), Plaintiff Aaron Greenspan requests that the Court incorporate by reference or take judicial notice of the documents identified below as Exhibits to the Declaration of Aaron Greenspan in support of Plaintiff's Opposition to Defendants' Motions to Dismiss Plaintiff's Third Supplemental and Amended Complaint ("TAC") and Qazi Defendants' Special Motion to Strike Claims Under California's Anti-SLAPP Statute, Civ. Proc. Code § 425.16.

**I. DOCUMENTS SUBJECT TO THIS REQUEST**

<b>Exhibit</b>	<b>Description</b>	<b>Basis for Notice and/or Incorporation</b>
A	Various Twitter Posts by Aaron Greenspan Regarding Stock Valuation	Publicly available from a reliable source; TAC ¶¶ 2, 24
B	March 26, 2021 <i>Washington Post</i> Article by Hannah Denham Entitled “Elon Musk tweets, deletes brag that Tesla will be biggest company ‘in a few months’”	Publicly available from a reliable source; TAC ¶¶ 5, 10, 115
C	Deleted @WholeMarsBlog Twitter Thread Dated February 19, 2021	Publicly available from a reliable source; TAC ¶ 115
D	Letters from Tesla, Inc. Associate General Counsel, Regulatory Eric C. Williams to the California Department of Motor Vehicles	Publicly available from a government source; TAC Issue Nos. 4, 23
E	April 2, 2021 <i>Bloomberg</i> Article by Dana Hull Entitled “Tesla Deliveries Smash Expectations on Reception in China.”	Publicly available from a reliable source; TAC Issue Nos. 7, 8, 21
F	Tesla Careers Website “Semi” Search Results	Publicly available from a reliable source; TAC Issue No. 28
G	Delaware Court of Chancery Case No. 12711-VCS Deposition Excerpts	Publicly available from a government source
H	Dictionary Definition of “Aware”	Publicly available from a reliable source; TAC Statement No. 40

**II. FACTUAL BASIS**

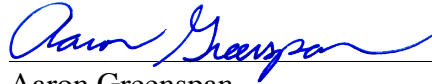
Judicial notice is proper because the documents’ existence (prior to deletion for Exhibit C) and authenticity cannot reasonably be questioned.

News articles and court documents from other lawsuits are routinely subject to judicial notice. Nor can there be a reasonable dispute as to the content posted on Defendant Tesla’s own website, or letters from its own attorneys on corporate letterhead, in the case of Exhibits D and F. Many of these documents would have been included in or referenced by the TAC, but did not exist or were not publicly available at the time it was filed on February 12, 2021.

1 **III. CONCLUSION**

2 For the aforementioned reasons, Plaintiff respectfully requests that the Court take judicial  
3 notice of the above referenced documents.

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5 Dated: April 8, 2021

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8 Aaron Greenspan  
9 956 Carolina Street  
10 San Francisco, CA 94107-3337  
11 Phone: +1 415 670 9350  
12 Fax: +1 415 373 3959  
13 E-Mail: aaron.greenspan@plainsite.org  
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